

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION

CIVIL NO. 1:99CV268

STEVE E. ASHE, and wife DEBORAH)
ANN SCOTT ASHE, *et al*,)
)

This document pertains to:)
EDNA MAE FEWELL; SALLY R.)
FLETCHER, Individually and as)
Executrix of the Estate of Carroll D.)
Fletcher, Deceased; JAMES C.)
GOFORTH, and wife THELMA W.)
GOFORTH; RUFUS S. McCALL, and)
wife MARGARET PAULINE R.)
McCALL; WILLIAM L. MOONEY, SR.,)
and wife BILLIE FARMER MOONEY;)
BRONITH SHOOK, as Administrator)
of the Estate of Vance Randall)
Shook, Deceased; and THOMAS J.)
WOODS, and wife ALICIA JEAN)
WOODS,)
)

Plaintiffs,)
)

Vs.)
)

A. W. CHESTERTON, INC.;)
CROWN CORK & SEAL COMPANY,)
INC.; METROPOLITAN LIFE)
INSURANCE CORPORATION;)
NATIONAL SERVICE INDUSTRIES,)
INC.; OWENS-ILLINOIS,)
INCORPORATED; RAPID AMERICAN)
CORPORATION; and CBS)
CORPORATION,)

Defendants.)
)
)

ORDER OF DISMISSAL

THIS MATTER is before the Court on the parties' joint motion to dismiss the captioned Plaintiffs' claims as to the Defendant Owens-Illinois, Inc.

For cause shown and it appearing these parties have agreed to settle the issues in controversy among them,

IT IS, THEREFORE, ORDERED that the joint motion to dismiss is **ALLOWED**, and the claims of Plaintiffs Rufus S. McCall, and wife Margaret Pauline R. McCall; William L. Mooney, Sr., and wife Billie Farmer Mooney; and Bronith Shook, as Administrator of the Estate of Vance Randall Shook, Deceased, against the Defendant Owens-Illinois, Inc., are hereby **DISMISSED WITH PREJUDICE.**

IT IS FURTHER ORDERED that the claims of Plaintiffs Edna Mae Fewell; Sally R. Fletcher, Individually and as Executrix of the Estate of Carroll D. Fletcher, Deceased; James C. Goforth, and wife Thelma W. Goforth; and Thomas J. Woods, and wife Alicia Jean Woods, against the Defendant Owens-Illinois, Inc., are hereby **DISMISSED WITHOUT**

PREJUDICE, and this action may be terminated as to Defendant Owens-Illinois, Inc.

Signed: November 1, 2007

A handwritten signature in dark ink, appearing to read "L. H. Thornburg", is written over a horizontal line.

Lacy H. Thornburg
United States District Judge

